



The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 162

Shillong, Tuesday, August 4, 2020

14th Sravana, 1942 (S. E.)

PART-IIA

GOVERNMENT OF MEGHALAYA
LEGAL METROLOGY DEPARTMENT

NOTIFICATION

The 16th July, 2020.

No.WM(E)41/81/403. - In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and in partial modification of this Department's Notification No.WM(G) 41/81/295, dated 8th April, 1996, the Governor of Meghalaya is pleased to make the following Rules regulating the recruitment and the conditions of service of persons appointed to posts in the Legal Metrology Service, namely:-

- 1. Short Title and commencement:-** (i) These Rules may be called "The Meghalaya Legal Metrology Service Rules, 2020.
(ii) They shall come into force from the date of their publications in the Official Gazette.
- 2. Definitions:-** In these rules, unless there is anything repugnant in the subject or context -
 - (a) "Appointing Authority" means the Governor of Meghalaya in respect of Senior Grade, Grade I and Grade II posts and the Controller of Legal Metrology in respect of Grade III posts.
 - (b) "Commission" means the Meghalaya Public Service Commission.
 - (c) "Committee" means the Departmental Promotion Committee constituted under Rule 8.
 - (d) "Government" means the Government of the State of Meghalaya.
 - (e) "Governor" means the Governor of Meghalaya.
 - (f) "Member of the Service" means a member of the Meghalaya Legal Metrology Service Rules.
 - (g) "Rule" means the Meghalaya Legal Metrology Service Rules.
 - (h) "Service" means the Meghalaya Legal Metrology Service Rules.
 - (i) "State" means the State of Meghalaya.
 - (j) "Schedule" means the schedule appended to these rules.
 - (k) "Year" means a Calendar Year.

3. **Constitution of the Service:-** There shall be constituted a Service to be known as the Meghalaya Legal Metrology Service consisting of the following persons namely -
- (1) Persons appointed to different posts in the Service before the commencement of these Rules and
 - (2) Persons appointed to different posts in the Service in accordance with the provisions of these Rules.
4. **Composition of the Services:-** (1) The Service shall consist of such categories of posts as the Governor may from time to time determine.
- (2) At the commencement of these rules, the service shall consists of the following grades and posts namely -
 - (i) Senior Grade - Joint Controller of Legal Metrology
 - (ii) Grade I - Deputy Controller of Legal Metrology
 - (iii) Grade II - (a) Assistant Controller of Legal Metrology
(b) Senior Inspector of Legal Metrology conferred with Gazetted Status
 - (iv) Grade III - (a) Inspector of Legal Metrology
(b) Instrument Mechanic
(c) Manual Assistant
 - (3) The categories of posts in clauses (i), (ii),(iii) and (iv) of Sub-rule (2) shall form an independent Cadre. Members of the lower cadre shall have no claim for appointment to any of the higher cadre except in accordance with the provisions of these Rules.
5. **Status:-** the status of the members of the service holding posts in Senior Grade, Grade I and Grade II shall be group 'A' Gazetted and those holding posts in grade III shall be group 'B' Non-Gazetted.
6. **Strength of the Service:-** (1) The strength and composition of the service shall be such as may be determined by the Governor from time to time.
- (2) At the commencement of these rules, the strength of the service and posts therein shall be as shown in Schedule-I appended to these rules.
7. **Method of Recruitment:-** (1) Joint Controller of Legal Metrology - Appointment to the post of Joint Controller of Legal Metrology shall be made by promotion from amongst the members of the service holding the post of Deputy Controller of Legal Metrology possessing the requisite experience as shown in Schedule II and included in the select list approved under sub-rule (4) of Rule 10.
- (2) Deputy Controller of Legal Metrology - Appointment to the post of Deputy Controller of Legal Metrology shall be made by promotion from amongst the members of the Service holding the post of Assistant Controller of Legal Metrology possessing the requisite experience as shown in Schedule II appended to these rules and included in the select list under sub-rule (4) of Rule 10.
 - (3) Assistant Controller of Legal Metrology - Appointment to the post of Assistant Controller of Legal Metrology shall be made by promotion from amongst the members of the service holding the post of Senior Inspector of Legal Metrology conferred with Gazetted Status possessing the requisite experience as shown in Sechedule II appended to these rules and included in the select list under sub-rule (4) of Rule 10.
 - (4) Senior Inspector of Legal Metrology with Gazetted Status - Appointment to the post of Senior Inspector of Legal Metrology with Gazetted Status shall be made by promotion from amongst the members of the service holding the post of Inspector of Legal Metrology who have successfully

complete the Basic Training course and must have rendered not less than eight years of continuous service as shown in Schedule II appended to these rules and included in the select list, under sub-rule (4) of Rule 10.

- (5) Inspector of Legal Metrology:- Appointment to the post of Inspector of Legal Metrology shall be made by direct recruitment on the result of the competitive examination conducted by the Commission.
- (6) Instrument Mechanic - Appointment to the posts of Instrument Mechanic shall be made by promotion from amongst the member of the service holding the post of Manual Assistant possessing the requisite experiencing as shown in Schedule II appended to these rules and included in the Select List under Sub-rule (4) of Rule 10.
- (7) Manual Assistant - Appointment to the post of Manual Assistant shall be made by direct recruitment on the result of the competitive examination conducted by District Selection Committee or Promotion from Grade IV Staff. The ratio at which the post is to be filled up shall be 50:50.

8. Departmental Promotion Committee:- (1) For the purpose of appointment by promotion to the posts in the Senior Grade, Grade I and Grade II under sub-rules (1), (2), and (3) of Rule 7, there shall be a Departmental Promotion Committee consisting of the following members namely:-

- | | | |
|--|---|--------------------|
| (i) Chief Secretary | - | Chairman |
| (ii) Principal Secretary/Commissioner & Secretary/
Secretary Legal Metrology Department. | - | Member - Secretary |
| (iii) Principal Secretary/Commissioner & Secretary/
Secretary/Additional Secretary Personnel & A.R. Department. | - | Member |
| (iv) Principal Secretary/Commissioner & Secretary/
Secretary Finance Department. | - | Member |
| (v) Controller of Legal Metrology, Meghalaya, Shillong. | - | Member |
- (2) The Committee may invite any other person to attend its meeting as and when considered necessary.

9. For the purpose of appointment by promotion:- (1) For the posts of Senior Inspector conferred with Gazetted Status Instrument Mechanic and Manual Assistant under Sub-rule (4), (6) & (7) of Rule 7, there shall be a Departmental Promotion Committee consisting of the following members namely:-

- | | | |
|---|---|--------------------|
| (i) Principal Secretary/Commissioner & Secretary/
Secretary Legal Metrology Department. | - | Chairman |
| (ii) Controller of Legal Metrology, Meghalaya,
Shillong. | - | Member - Secretary |
| (iii) Principal Secretary/Commissioner & Secretary/
Secretary/ Personnel & A.R.(A) Department. | - | Member |
| (iv) Principal Secretary/Commissioner & Secretary/
Secretary Finance Department. | - | Member |
- (2) The Committee may invite any other person to attend its meeting as and when considered necessary.

10. Procedure for preparing the Select List:- (1) At the beginning of each year, the Appointing Authority shall refer to the Committee, the approximate number of vacancies likely to occur in each grade of the Service during the year. To enable the Committee to prepare the Lists for promotion to those grades, the Appointing Authority shall furnish the Committee with the following documents namely:-

- (i) A list of the member of the service drawn up in order of seniority and consisting three times the number of vacancies referred to in sub-rule (1).

Provided that such restriction shall not apply in respect of post where the total number of eligible person is less than three times the number of vacancies and in such a case the committee shall consider all the eligible persons.

- (ii) The Character Rolls and Service Records of such member.
 - (iii) Any other documents and information as may be considered necessary by the Appointing Authority or required by the Committee.
- (2) The Committee after examining the Character Rolls, Service Records and other documents in respect of all such persons, shall prepare a list based on seniority with due regard to merit and suitability. The number of persons to be included in the list shall be according to the actual number of vacancies available at a particular grade. The list shall be forwarded by the committee to the Appointing Authority.
- (3) The names of persons in the list shall be placed in the order of preference for promotion. In every case where a junior member is selected in preference to his/her seniors, the Committee shall record in writing the reasons for doing so.
- (4) For the purpose of appointment by promotion under sub-rules (1), (2), (3), (4), (6) & (7) of Rule 7, the Appointing Authority shall consider the list prepared by the Committee along with the Character Rolls and Service records and other documents in respect of each person in the list and unless he considers that any change is necessary, approve the list. If the Appointing Authority considers it necessary to make any change in the list received from the Committee he shall inform the Committee of the changes proposed and after taking into consideration the comments if any of the Committee, approve the list finally with or without modifications as may in his opinion consider to be just and proper.
- (5) The list as approved under sub-rule (4) above shall form the select List for the purpose of appointment by promotion under sub-rules (1), (2), (3), (4), (6) & (7) of Rule 7.

11. Validity of the select list:- (1) The select list shall remain in force for a period of one year from the date of its final approval by the Appointing Authority unless its validity is extended with the approval of the Appointing Authority.

Provided that such an extension shall not be for a total period exceeding six months.

Provided further that in the event of any great lapse in the conduct or performance of duties on the part of any person in the select list, the Appointing Authority may, if he thinks fit, remove the name of such person from the Select List in consultation with the Committee. The reasons for doing so shall be recorded in writing.

- (2) The Committee shall meet once a year to review the Select List.

12. Direct recruitment:- (1) Competitive Examination for direct recruitment under sub-rule (5) and (7) of Rule 7 shall be held at such intervals as the Appointing Authority may in consultation with the Commission/District Selection Committee from time to time determine. The date and the place on which the examination shall be held shall be fixed by the Commission/ Committee.

- (2) The examination shall be conducted by the Commission/Committee in accordance with such syllabus as the Appointing Authority may from time to time make in consultation with the Commission/Committee.
- (3) Of the number of vacancies to be filled up on the result of each examination, there shall be reservation in favour of candidates belonging to Scheduled Caste and Scheduled Tribe to the extent and subject to the conditions as the Government may from time to time prescribe.
- (4) On the basis of the result of the Competitive Examination, the Commission/Committee shall prepare a list of all successful candidates in order of merit which shall be determined in accordance with the aggregate marks obtained by each candidate and if two or more candidates obtained equal marks, the Commission/Committee shall arrange them in order of their relative merit which shall be determined in accordance with the general suitability of the candidates for appointment to the post. The number of persons to be included in the list shall be according to the actual vacancies that are likely to occur during the recruitment year. The list shall be forwarded to the Appointing Authority.
- (5) The inclusion of a candidate's name in the list confer no right to appointment unless the Appointing Authority is satisfied, after such enquiry as may be considered necessary that the candidate is suitable in all respect for appointment to the post and that appointment to any post in the service is subject to availability of vacancy.

13. Conditions of Eligibility for appearing at the Competitive Examination:- (1) In order to be eligible to compete at the Examination for direct recruitment, a candidate must satisfy the following conditions namely:-

- (1) Nationality - He must be a citizen of India.
- (2) Age - He must have attained the age of eighteen years and must not have exceeded the age of twenty seven years on the first day of the year in which the advertisement for the post is made.

Provided that in the case of candidates belonging to Scheduled Caste and Scheduled Tribes, the upper age limit shall be subject to relaxation made by the Government from time to time.

- (3) Educational Qualifications - For recruitment to the post at sub-rule (5) of Rule 7, the candidate must hold a Bachelor Degree in
 - (a) Physics as one of the subjects or Bachelor in Engineering or Technology of any discipline.
 - (b) For recruitment to the post at sub-rule (7) of Rule 7, the candidate must be a male candidate with SSLC passed.
 - (c) Must be able to speak one of the languages of the State.
 - (d) Must be physically and mentally fit.

14. Disqualification for appointment to the Service:- (1) No person who, after such medical examination as the Government may prescribed is not found to be in good mental or bodily health and free from any physical defect or infirmity which may render him unfit in the discharge of his duties, shall be appointed to the service.

- (2) No persons who had been convicted for any offence involving moral turpitude shall be appointed to the service.
- (3) No person who has more than one spouse living shall be eligible for appointment to the service.

Provided that the Governor may, if he is satisfied that there are special grounds for doing so, exempt any person from the operation of this sub-rule.

- (4) No person who attempts to enlist support for his candidature either directly or indirectly by any recommendation either written or oral or by any other means, shall be appointed to the service.

15. Appointment to the service:- (1) Appointment to any post in the service under Rule 7 shall be made by the Appointing Authority. Appointment to Gazetted posts shall be published in the Meghalaya Gazette.

- (2) (i) Subject to provisions of sub-rule (3) and (5) of Rule 12, appointment under sub-rule (5) and (7) of Rule 7 shall be made from time to time in the order in which the names of candidates appear in the Merit List prepared under sub-rule (4) of Rule 12.

(ii) A person appointed by direct recruitment shall join within fifteen days from the date of receipt of the order of appointment failing which and unless the Appointing Authority extend the period of joining which shall not in any case exceed three months the appointment shall be cancelled.

- (3) Appointment under sub-rule (1), (2), (3), (4) and sub-rule (6) of Rule 7 shall be made in order, in which the names of candidates appear in the Select List approved under sub-rule (4) of Rule 10.

16. Probation:- Every person appointed under sub-rule (5) of Rule 7 shall be on probation for a period of 2 (two) years.

Provided that the period of probation may for good and sufficient reasons be extended by the Appointing Authority in any individual case by a period not exceeding 2 (two) years.

Provided further that where a person appointed to the post in the service could not be placed under probation for want of permanent vacancy, any period which he has rendered in a temporary capacity may, having regard to his performance be counted towards the period of probation.

17. Departmental Examination and Training:- (1) Such persons referred to in sub-rule (1) of Rule 3 who have not passed all the papers of the Departmental Examination prescribed for the service shall appear at and pass the prescribed Departmental Examination conducted by the Commission in the subject in which he has not passed and shall also be required to undergo if he has not already done any such training successfully as the Appointing Authority may prescribe.

- (2) Such persons referred to in sub-rule (2) of Rule 3 who have not passed all the papers of the Departmental Examination conducted by the Indian Institute of Legal Metrology, Ranchi (if any/and/or have) not undergone the training prescribed from time to time shall appear at and pass all the papers of Examination and undergo successfully such prescribed training.

- (3) Every person appointed to post in the service after the commencement of these rules shall during the period of probation pass the Departmental Examination conducted by the Indian Institute of Legal Metrology, Ranchi and complete successfully such training as may be prescribed by the Appointing Authority.

18. Discharge or Reversion:- (1) Where the Appointing Authority finds that the performance of duty by any member of the service, appointed by promotion, is unsatisfactory or where he is found unfit to hold the post at any time during the period of service, such member shall be liable to be reverted to his next lower post or grade.

- (2) A member of the service appointed by direct recruitment shall be liable to be discharged if:-

- (a) He fails to make sufficient use of the opportunities given during the training or otherwise fails to give satisfactory performance during the period of probation.
- (b) He fails to pass the Basic Training Course Examination unless the Appointing Authority permits him to appear for re-examination in the subjects in which he fails; or

- (c) On any information received relating to his nationality, age, health, character and if the Appointing Authority is satisfied that the probationer is ineligible or otherwise unfit for being a member of the service.

19. Seniority:- (1) The interse seniority of the members of the service in any cadre appointed on or after 21st January, 1972 but before the commencement of these rules, shall be in order in which their names appeared in the respective list prepared by the Commission/Committee or the Select List approved under sub-rule (4) of Rule 10.

- (2) The interse seniority of the members of the service appointed to different cadres after the commencement of these rules shall be in the order in which their names appear in the Merit List prepared under sub-rule (4) of Rule 12 or in the Select List approved under sub-rule (4) or Rule 10.

Provided that in any cadre, a member of the service appointed by promotion/selection shall be senior to a member appointed by direct recruitment, where such selection fall in the same year.

20. Confirmation:- (1) Confirmation of a member of the service in a cadre shall be made according to his seniority in that cadre subject to the following conditions:-

- a. That he has served not less than 1 (one) year in the post in which he is to be confirmed.
- b. That his performance is satisfactory (to be judged on the basis of his Annual Confidential Report and other relevant records).
- c. That there is no Departmental proceeding/vigilance enquiry against him and;
- d. That a vacancy is available and that no officer holds a lien on it.

- (2) Confirmation of a probationer shall be made according to his/her seniority in that cadre subject to the following condition:-

- (a) that he has completed the period of probation to the satisfaction of the Appointing Authority.
- (b) That he has passed the Departmental Examination completely and has successfully undergone the training course as may be prescribed by the Appointing Authority from time to time.
- (c) That he is considered otherwise fit for confirmation by the Appointing Authority.
- (d) That vacancy is available.

Provided that where a person is not given opportunity to undergo the prescribed training during the period of probation, his confirmation shall not be held up for reason of not successfully undergoing the said training but such person shall when called upon by the Appointing Authority and opportunity given, successfully undergo the said training.

Provided further that the Appointing Authority may for good and sufficient reasons exempt a member of the service from passing any one or more of the prescribed Departmental Examination and Training and confirm him or her in the respective cadre of the service.

21. Gradation List:- There shall be prepared and published annually an up-to-date Gradation List consisting of the names of all members of the service, cadre-wise and drawn up in order of seniority and other particulars relating to the date of birth and appointment to the service and such other details relevant to the service career shall also be indicated against each name.

22. Time Scale Pay:- The Time Scale Pay admissible to the members, of the service shall be as shown in Schedule-I subject to revision by Government from time to time.

- 23. Increment:-** (1) The first increment admissible to a member of the service shall accrue on the expiry of one year from the date of his joining the post but subject to his successful completion of the Basic Training Course as may be prescribed.
- (2) The pay of the member of the service after passing the Basic Training Course, shall be fixed at such a stage as if he had been allowed his usual annual increments due but he shall not be entitled to any arrear in pay on account of with-holding of due increment for the period prior to the date of his passing the Basic Training Course.
- (3) The annual increment of a member of the service promoted from one cadre to another in the Time Scale Pay applicable to him shall be admissible as provided in the Fundamental Rules and Subsidiary Rules.
- 24. Leave, Pension, etc. and other conditions of service:-** Except as provided under these Rules, all matters generally relating to pay and allowances, leave, pension discipline and other conditions of service shall be regulated by the general Rules and/or Orders made by Government from time to time and applicable to other State Government Servants of corresponding status having similar functions.
- 25. Power of the Governor to dispense with or relax any Rule:-** The Governor if satisfied that the operation of any of the provisions of these Rules causes undue hardship in any particular case or cases or results in any particular post or posts being left unfilled for want of person(s) possessing the minimum experience as specified by these Rules for promotion to such post(s) may dispense with or relax the requirement of any of these Rules to such extent and subject to such condition as it may consider necessary for dealing with the case in a just and equitable manner or for meeting the exigencies of public interest.
- 26. Interpretations:-** If any question arises relating to the interpretation of these Rules, the decision of the Government in the Legal Metrology Department with the approval of the Personnel & A.R. Department shall be final.
- 27. Repeal and Saving:-** All Rules Orders or Notifications corresponding to and in force immediately before the commencement of these Rules are hereby repealed.

Provided that all Orders made or action taken under the Rules, Order or Notification so repealed or any action in pursuance thereto shall be deemed to have been validly made or taken under the corresponding provisions of these Rules.

SCHEDULE - I
(Rule 6 and Rule 22)

Sl. No.	Name of Post	Time Scale Pay	Number of Post		
			Permanent	Temporary	Total
1.	Joint Controller of Legal Metrology	L-19	1		1
2.	Deputy Controller of Legal Metrology	L-18		1	1
3.	Assistant Controller of Legal Metrology	L-16	1	1	2
4.	Senior Inspector of Legal Metrology with Gazetted Status	L-14	} 9	5	14
5.	Inspector of Legal Metrology	L-12			
6.	Instrument Mechanic	L-5	1	0	1
7.	Manual Assistant	L-2	11	6	17

SCHEDULE-II
[Rule 7 and Rule 12(b)(c)]

Sl. No.	Name of Post	Method of Recruitment	Direct Recruitment			Promotion		Remarks
			Educational qualification required for direct recruitment	Lower age limit	Upper age limit	Personal eligible for consideration to posts mention in column 2	Qualification experience etc.	
1	2	3	4	5	6	7	8	9
1	Joint Controller of Legal Metrology	By Promotion				Deputy Controller of Legal Metrology	Must have rendered not less than 2 (two) years of continuous service in the post shown in column 7, if no suitable person as Deputy Controller of Legal Metrology is available experience is relaxed to 5 years of combined service at the level of Deputy Controller of Legal Metrology and Assistant Controller of Legal Metrology.	
2	Deputy Controller of Legal Metrology	-do-				Assistant Controller of Legal Metrology	Must have rendered not less than 3 (three) years of continuous service in the post shown in column 7, if no suitable person is available, experience is relaxed to 5 years of combined service at the level of Assistant Controller of Legal Metrology and Senior Inspector of Legal Metrology with Gazetted Status.	

3	Assistant Controller of Legal Metrology	-do-				Inspector of Legal Metrology with Gazetted Status	Must have rendered not less than 5 (five) years of continuous service in the post shown in column 7, if no suitable person is available, experience is relaxed to 10 years of combined service at the level of Senior Inspector of Legal Metrology with Gazetted Status and Inspector of Legal Metrology.	
4	Senior Inspector of Legal Metrology conferred with Gazetted Status	-do-				Inspector of Legal Metrology	Successfully completed the Basic Training Course and must have rendered not less than 8 (eight) years of continuous service in the post shown in column 7.	
5	Inspector of Legal Metrology	Direct recruitment from Meghalaya Public Service Commission	B. Sc. in Physics as one of the subject or B. E. / B. Tech. of any stream	18	27			
				On the first day of the year in which the advertisement is made				
6	Instrument Mechanic	By promotion		-do-		By promotion from Senior- most Manual Assistant	Must have rendered not less than 5 (five) years of continous service in the post	
7	Manual Assistant	Direct recruitment from District Selection Committee/ Promotion from Grade IV Staff	SSLC passed	-do-		By promotion from Grade IV staff	Must have rendered not less than 5 years	Male only

Commissioner & Secretary to the Government of Meghalaya,
Legal Metrology Department, Shillong.